

RESOLUTION 03-28

(passed 6-3 Ruff
call
Ruff)

TO ADOPT POLICIES FOR THE BLOOMINGTON DIGITAL UNDERGROUND

WHEREAS, the City has made a substantial investment in fiber optic assets in its public rights-of-way as part of the "Bloomington Digital Underground" program; and

WHEREAS, the stated goals of the program are (a) providing for the City's telecommunications needs, (b) protecting the City's investments in its rights-of-way and its visual attractiveness, and (c) lowering the barriers of entry for competitive telecommunications providers; and

WHEREAS, it is intended that some of the City's fiber optic assets will be made available for use by non-governmental entities; and

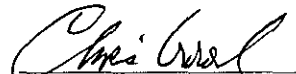
WHEREAS, it is important to have clear policies on how the City's fiber optic assets shall be used, operated, and managed;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

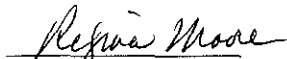
SECTION I. The attached set of policies shall govern the use, operations, and management of the fiber optic assets owned by the City of Bloomington. Section 3 of the policies, regarding governance of the Bloomington Digital Underground, shall be reviewed by the Common Council within one year after adoption of this resolution and after the C.I.O. has filed a report on the activities of the advisory committee with the Council Office.

SECTION II. This resolution shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval by the Mayor.

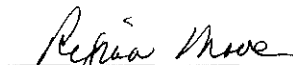
PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 15 day of October, 2003.


CHRIS GAAL, President
Bloomington Common Council

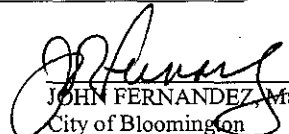
ATTEST:


REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 16th day of October, 2003.


REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 16th day of October, 2003.


JOHN FERNANDEZ, Mayor
City of Bloomington

SYNOPSIS

This resolution adopts a set of policies that govern the use, operations, and management of the fiber optic assets owned by the City of Bloomington.

Note: On October 15, 2003 the Council adopted Am 01, which added the second sentence to Section 1 and requires the Council to review Section 3 of the policies within one year of the adoption of this resolution.

Signed copies to:
Regoe(5) CA/CA(2) PW
controller file telecom comm
ITS clerk